UNITED STATES DISTRICT COURT		
EASTERN DISTRICT OF NEW YORK		
***************************************	X	
	•	
HUMBERTO PORTUONDO,	*	Docket No.: 13-CV-377 (MKB) (RLM)
	*	
Plaintiff,	;	STIPULATION
	:	
-against-	* *	
	:	
MAJOR CHEVROLET, INC. and TD AUTO	:	
FINANCE LLC,	:	
	*	
Defendants.	:	
	-	
· · · · · · · · · · · · · · · · · · ·	X	

attorneys for the parties, that the co-defendant, MAJOR CHEVROLET, INC., concedes liability on all allegations contained in the defendant, TD AUTO FINANCE LLC's cross-claim contained within its Answer to the Complaint, dated March 29, 2013, for purposes of the within litigation only. In particular, MAJOR CHEVROLET, INC., agrees to indemnify, defend and hold harmless TD Auto Finance LLC in accordance with the applicable terms contained within the Retail Installment Contract and Lease Program Agreement, dated September 20, 2010, entered into by all parties.

9149482132

T-006 P.003/005 F-669

TD AUTO FINANCE LLC agrees to waive its right to collect attorneys' fees and any costs and expenses relating to its defense incurred to date in connection with the instant action from MAJOR CHEVROLET, INC.

TD AUTO FINANCE LLC hereby withdraws its cross-claims heretofore asserted in the within action, and agrees to cooperate with Major Chevrolet in defense of the within action.

The within Stipulation is not intended to benefit any third party or parties.

Dated: White Plains, New York

June 25, 2013

Michael J. Wezorett, Esq. (MD-1685)

Attorneys for Defendants MAJOR CHEVROLET, INC. and TD AUTO FINANCE LLC 75-24 Bell Boulevard Bayside, New York 11364

Tel. No. (718) 217-3719

Joseph/Porretto, Esq. (JP-8366)

An Associate of the Firm of

CERUSSI & 5PRING

One North Lexington Avenue

White Plains, New York 10601-1700

Tel. No. (914) 948-1200

So Ordered:

Magistrate Judge Roanne L. Mann